

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

TIMOTHY CALLIHAN, et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-04386

SURNAIK HOLDINGS OF WV, LLC, et al.,

Defendants.

ORDER

Pursuant to this Court's order allowing Plaintiffs leave to amend their Complaint, (ECF No. 28), and the subsequent filing of Plaintiffs' Third Amended Complaint, (ECF No. 29), the Court **DENIES AS MOOT** Defendants Green Sustainable Solutions LLC, Intercontinental Export Import, Inc., Polymer Alliance Services, LLC, Sirnaik, LLC, and Surnaik Holdings of WV, LLC's Motion to Dismiss the Second Amended Complaint. (ECF No. 7.)

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: July 9, 2018



THOMAS E. JOHNSTON, CHIEF JUDGE